

**SUMMONS IN A CIVIL ACTION**

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SUSAN FRATTAROLA; ANNA MAY LAMPART;  
CASSANDRA RUFF and PAMELA KIMBLE-ARMSTRONG,  
on behalf of themselves and all other employees similarly situated

v.

MERCY HEALTH SYSTEM OF SOUTHEASTERN  
PENNSYLVANIA; MERCY CATHOLIC MEDICAL CENTER  
OF SOUTHEASTERN PENNSYLVANIA; MERCY  
FITZGERALD HOSPITAL; MERCY PHILADELPHIA  
HOSPITAL; MERCY SUBURBAN HOSPITAL; NAZARETH  
HOSPITAL; ST. AGNES CONTINUING CARE CENTER; H.  
RAY WELCH, JR. and ELYSE A. KAPLAN

CIVIL ACTION NO. 09-5533

TO: (NAME AND ADDRESS OF  
DEFENDANT)

Mercy Philadelphia Hospital  
c/o H. Ray Welch, Jr.  
Lansdowne Ave. & Baily Rd.  
Darby, PA 19023

**YOU ARE HEREBY SUMMONED and required to serve upon**

**Plaintiff's Attorney (Name and Address)**

Justin M. Cordello, Esq.  
Thomas & Solomon LLP  
693 East Avenue  
Rochester, NY 14607

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Michael E. Kunz, Clerk of Court

Date: 11/19/09

(By) Deputy Clerk

PATRICIA A. JONES

PAU 440 (Rev. 8/1) Summons in a Civil Action

See Attached List

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	11-30-09 @ 11:05 AM
NAME OF SERVER (PRINT)	TITLE	
<u>Deborah Wiseman</u>	<u>Process Server</u>	

(Check one box below to indicate appropriate method of service)

 Served personally upon the defendant. Place where served:Accepted by: Arthur Marisari - Administration Assistant 1 West Elm St. Conshohocken PA Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

 Returned unexecuted: \_\_\_\_\_ Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 11-30-09  
DateDeborah Wiseman  
Signature of Server

Address of Server

**Legal Errands, Inc.**PO Box 24866  
Philadelphia, PA 19130  
215-751-1124

**Documents Served**

1. Civil Cover Sheet
2. Case Management Track Designation Form
3. Designation Form
4. Notice of Consent to Proceed Before Magistrate Judge
5. Summons
6. Complaint- Class Action and Demand for Jury Trial
7. Plaintiffs' Motion for Expedited Notice to Affected Employees
8. Proposed Order Granting Plaintiffs' Motion for Expedited Notice to Affected Employees
9. Plaintiffs' Memorandum of Law in Support of Motion for Expedited Notice to Affected Employees
10. Affirmation of Justin M. Cordello in Support of Motion for Expedited Notice to Affected Employees with Attached Exhibits
11. Affirmation of Sylvia Kraus-Lewicka in Support of Motion for Expedited Notice to Affected Employees
12. Plaintiffs' Motion for Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees
13. Proposed Order Granting Plaintiffs' Motion for Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees
14. Plaintiffs' Memorandum of Law in Support of Motion for an Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees
15. Affirmation of Justin M. Cordello in Support of Motion for Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees